

[4]

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

GLANDER INTERNATIONAL BUNKERING
INC.,

Plaintiff,

v.

M/V VENTA, IMO No. 9072749, her engines,
freights, apparel, appurtenances, tackle, etc., *in*
rem,

Defendant.

IN ADMIRALTY

NO. 1:15-cv-04200-RMB-AMD

ORDER AUTHORIZING ISSUANCE
OF WARRANT OF ARREST

This Court has reviewed the Original Verified Complaint (Docket #1), *Ex Parte* Motion for an Order Authorizing Issuance of Warrant of Arrest (Docket #3) and supporting papers filed by Plaintiff, GLANDER INTERNATIONAL BUNKERING INC., (hereinafter “GIB” or “Plaintiff”), in the above-captioned matter. Upon consideration thereof, this Court has determined that the conditions for an *in rem* arrest of Defendant Vessel M/V VENTA, her engines, boilers, tackle, apparel, etc., pursuant to Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist. Accordingly, it is hereby:

ORDERED, that the Clerk of this Court shall issue forthwith a Warrant of Maritime Arrest for the M/V VENTA, her engines, boilers, machinery, tackle, apparel, furniture, equipment, rigging, and all other necessary appurtenances thereto, etc. (hereinafter referred to as “Vessel”), directing the United States Marshal for the District of New Jersey to proceed with all deliberate speed and arrest said Vessel which is now or soon will be currently afloat, berthed, and/or otherwise located within the District of New Jersey; it is further

ORDERED, that the United States Marshal is to arrest and take custody of the Vessel, currently located within the District of New Jersey and to detain same within its custody until further Order of this Court; and it is further

ORDERED, that the United States Marshal for the District of New Jersey shall serve a copy of the Original Verified Complaint, this Order with the Warrant of Maritime Arrest upon Defendant Vessel and shall return the process promptly; and it is further

ORDERED, that the United States Marshal and/or Substitute Custodian is authorized to allow normal cargo operations, both discharging and loading, repair works, and/or to shift berths (consistent with the U.S. Marshal's requirements), always remaining within this judicial district, but at the risk and expense of the Vessel's interests. Any cargo on the Vessel is not to be seized; and it is further

ORDERED, that the United States Marshal is released of all liability and to be held harmless for any and all claims or causes of action arising out of the seizure and arrest of the Vessel and/or the care, custody, and control of the Vessel henceforth, including if and when the Vessel is tendered to any Substitute Custodian; and it is further

ORDERED, that pursuant to Supplemental Rule E(5)(a), the Court fixes the principal amount of the bond to obtain the release of the Vessel M/V VENTA in the amount of **USD 179,000.00**, same sufficient to cover the amount of Plaintiff's claim fairly stated as permitted by Rule E(5).

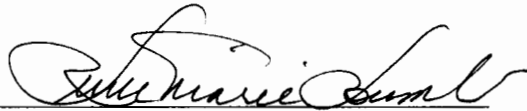
ORDERED, that any person claiming a right of possession or any ownership interest in the Vessel arrested pursuant to this Order, shall, in accordance with Supplemental Admiralty Rule C(6) of the Federal Rules of Civil Procedure, file a verified statement of right or interest with the Clerk of the Court and an answer, and shall upon application to the Court, be entitled to a prompt

hearing at which the Plaintiff shall be required to demonstrate why the arrest should not be vacated or other relief granted; and it is further

ORDERED, that the Vessel may be released from seizure without further order of this court, if the Marshal receives written authorization from the attorney who requested the seizure and that such attorney advises that he has conferred with all counsel representing all of the parties to the litigation and they consent to the release, and the Court has not entered an Order to the contrary. All of the United States Marshal's costs shall be paid prior to the release of said Vessel.

SO ORDERED and **SIGNED** this th~~25~~ day of June, 2015.

Camden, New Jersey


UNITED STATES DISTRICT JUDGE